

## REMARKS

### Summary of Office Action

Claims 1-7 were pending in this application. Claims 6-7 were withdrawn from consideration pursuant to a species election.

The Examiner rejected claims 1-5 under 35 U.S.C. §102(b) as being anticipated by Swiss Patent Publication No. CH 679317 (hereinafter "CH '317").

Claim 3 was objected to for an informality.

The specification and drawings were objected to for various informalities.

### Summary of Applicants' Reply

Applicants submit concurrently herewith a Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b).

**Please change the attorney docket number from "44501-00045USPT" to 11779-0027-999.**

The specification and FIG. 1 have been amended to correct various typographical errors and informalities, and claim 3 has been amended to correct an antecedence problem, thus traversing the Examiner's objections thereto.

Applicants have amended claims 1 and 4 to more particularly point out and distinctly claim the subject matter that applicants regard as the invention. Claim 5 has been amended to depend from and conform to independent claim 4, and applicants have added new dependent claims 8-16.

No new matter has been added.

Reconsideration of this application in view of the amendments and following remarks is respectfully requested.

Rejections of Claims 1-5 Under 35 U.S.C. § 102(b)

Claims 1-5 were rejected under 35 U.S.C. §102(b) as being anticipated by CH '317.

These rejections are respectfully traversed.

Independent claims 1 and 4 have been amended to require, among other things, a non-load bearing connection connected to a support structure for a rotating broom system. Support for these amendments is found throughout applicants' application (*see, e.g.*, page 11, paragraph 28, and page 13, paragraph 32, regarding non-load bearing connection 88).

CH '317 does not anticipate amended claims 1 and 4. The snow removal and cleaning system of CH '317 does not appear to have a non-load bearing connection between cantilever arm 8 ("Ausleger 8") and support beam 11 ("Trägers 11") as evidenced by the single-sided wheel/caster assembly 21, hydraulic cylinders 19 and 20 ("Hydraulikzylinder 19" and "Hydraulikzylinder 20"), and axes 17 and 18 shown in FIG. 2.

Indeed, applicants' specification addresses the disadvantages of systems such as apparently disclosed in CH '317:

"One solution to the negative effects on the drivability of the truck from the weight of a rotating broom system ... was ... a caster system .... While such caster systems were effective in modifying weight distribution, the use of a caster system near the rotating broom created new problems .... Solutions ... included ... using complex hydraulic control systems .... Such systems have

demonstrated limited effectiveness, and the problems associated with drivability control remain.” Applicants’ specification, pages 2-3, paragraph 5; emphasis added.

Applicants’ invention advantageously “provides weight transfer to the vehicle without the need for counterweights or special hydraulics” (page 5, paragraph 13, lines 7-8; emphasis added).

In particular, applicants’ invention “segregate[es] the weight of the truck-mounted system ... into two sections” (page 10, paragraph 23, lines 3-4). The weight of the first section is supported by a caster system 120 (*see id.* paragraph 24). The weight of the second section is supported by the chassis of the truck to which the rotating broom system is mounted (*see id.* paragraph 25).

“It is the use of the non-load bearing connection 88 to connect the floating beam assembly 90 which enables the weight of the rotating broom control assembly 20, including the mounting componentry and the drive mechanism to be managed separately from the weight of the support system 60” (pages 13-14, paragraph 35, lines 4-8).

CH ‘317’s single-sided wheel assembly and hydraulic cylinders seems to suggest that at least some of the unbalanced load of the rotating brush assembly is supported by cantilever arm 8, rendering the connection between cantilever arm 8 and support beam 11 a load bearing connection.

Amended independent claims 1 and 4 are therefore not anticipated by CH ‘317 and should be allowable.

For at least the above reasons, dependent claims 2, 3, and 5, which depend from independent claim 1 or 4, should also be allowable (i.e., dependent claims are allowable if their independent claim is allowable).

Accordingly, applicants respectfully request that the rejections of claims 1-5 under 35 U.S.C. §102(b) be withdrawn.

#### Withdrawn Dependent Claim 6

Dependent claim 6 was withdrawn from consideration pursuant to a species election.

Applicants respectfully request that claim 6 be rejoined to the application in view of the allowability of independent claim 1, from which it depends, and submit that claim 6 is also allowable (i.e., dependent claims are allowable if their independent claim is allowable).

#### New Dependent Claims 8-16

Dependent claims 8-16 have been added and should be allowable for at least the same reasons as their respective independent claim (*i.e.*, dependent claims are allowable if their independent claim is allowable).

#### Conclusion

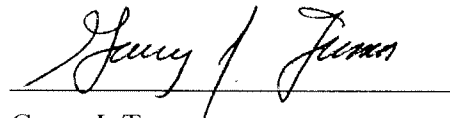
The foregoing demonstrates that claims 1-6 and 8-16 are allowable. Therefore,

Application No. 10/648,901  
November 27, 2007 Reply To Office Action

subject to disposition of withdrawn claims 6 and 7, this application is in condition for allowance.

Reconsideration and allowance are accordingly respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Garry J. Tuma", is written over a horizontal line.

Garry J. Tuma  
Registration No. 40,210  
Attorney for Applicants

JONES DAY  
Customer No. 20583  
222 East 41st Street  
New York, New York 10017  
(212) 326-3939

Attachments: Annotated FIG. 1; and  
Replacement FIG. 1.

ANNOTATED SHEET

Application No. 10/648,901  
TRUCK MOUNTED ROTATING BROOM SYSTEM  
Attorney Garry J. Tuma (40,210)

